

12/27/01

1131 U.S. PTO

10972 U.S. PTO

10/026741

12/27/01

PATENT

Customer Number 22,852

Attorney Docket No. 2356.0076-01

Pre Amended
3/A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS AND TRADEMARKS

Washington, D.C. 20231

Prior Application Art Unit: 1648

Prior Application Examiner: R. Budens

SIR: This is a request for filing a

☒ Continuation ☐ Continuation-in-Part ☐ Divisional Application under 37 C.F.R. § 1.53(b) of pending prior application Serial No. 08/817,441 filed July 11, 1997 of Pierre CHARNEAU et al. for NUCLEOTIDE SEQUENCES OF HIV-1 TYPE (OR SUBTYPE) O RETROVIRUS ANTIGENS.

1. ☒ Enclosed is a complete copy of the prior application including the oath or Declaration and drawings, if any, as originally filed. I hereby verify that the attached papers are a true copy of prior application Serial No. 08/817,441 as originally filed on July 11, 1997, which is incorporated herein by reference.
2. ☐ Enclosed is a substitute specification under 37 C.F.R. § 1.125.
3. ☐ Enclosed is a Request for Non-Publication of Application and Certification Under 35 U.S.C. § 122(b)(2)(B)(i).
4. ☒ Cancel Claims 2-29
5. ☒ A Preliminary Amendment is enclosed (including Sequence Listing).
6. ☒ The filing fee is calculated on the basis of the claims existing in the prior application as amended at 4 and 5 above.

Basic Application Filing Fee				\$740	\$ \$740.00
	Number of Claims		Basic	Extra Claims	
Total Claims	8	-	20	x \$18	
Independent Claims	3	-	3	x \$84	
<input type="checkbox"/> Presentation of Multiple Dep. Claim(s)				+\$280	
Subtotal					\$ \$740.00
Reduction by 1/2 if small entity					-
TOTAL APPLICATION FILING FEE					\$ \$740.00

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7. ■ A check in the amount of \$740.00 to cover the filing fee is enclosed.
8. ■ The Commissioner is hereby authorized to charge any fees which may be required including fees due under 37 C.F.R. § 1.16 and any other fees due under 37 C.F.R. § 1.17, or credit any overpayment during the pendency of this application to Deposit Account No. 06-0916.
9. ■ Amend the specification by inserting before the first line, the following new paragraph:

A.

--This is a continuation of application Serial No. 08/817,441, filed July 11, 1997, which is the National Stage Application filed under 35 U.S.C. § 371 of International Application No. PCT/FR95/01391, filed October 20, 1995, both of which are incorporated herein by reference.--

10. ■ New formal drawings are enclosed.
11. ■ The prior application is assigned of record to: Institut Pasteur.
12. ■ Priority of application Serial No. FR 95/02526, filed March 3, 1995, in France, and Serial No. FR 94/12554, filed October 20, 1994, in France is claimed under 35 U.S.C. § 119. A certified copy
☐ is enclosed or ☒ is on file in the prior application.
13. ☐ Small entity status is appropriate and applies to this application.
14. ■ The power of attorney in the prior application is to at least one of the following: FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., Douglas B. Henderson, Reg. No. 20,291; Ford F. Farabow, Jr., Reg. No. 20,630; Arthur S. Garrett, Reg. No. 20,338; Donald R. Dunner, Reg. No. 19,073; Brian G. Brunsvold, Reg. No. 22,593; Tipton D. Jennings, IV, Reg. No. 20,645; Jerry D. Voight, Reg. No. 23,020; Laurence R. Hefter, Reg. No. 20,827; Kenneth E. Payne, Reg. No. 23,098; Herbert H. Mintz, Reg. No. 26,691; C. Larry O'Rourke, Reg. No. 26,014; Albert J. Santorelli, Reg. No. 22,610; Michael C. Elmer, Reg. No. 25,857; Richard H. Smith, Reg. No. 20,609; Stephen L. Peterson, Reg. No. 26,325; John M. Romary, Reg. No. 26,331; Bruce C. Zotter, Reg. No. 27,680; Dennis P. O'Reilley, Reg. No. 27,932; Allen M. Sokal, Reg. No. 26,695; Robert D. Bajefsky, Reg. No. 25,387; Richard L. Stroup, Reg. No. 28,478; David W. Hill, Reg. No. 28,220; Thomas L. Irving, Reg. No. 28,619; Charles E. Lipsey, Reg. No. 28,165; Thomas W. Winland, Reg. No. 27,605; Basil J. Lewris, Reg. No. 28,818; Martin I. Fuchs, Reg. No. 28,508; E. Robert Yoches, Reg. No. 30,120; Barry W. Graham, Reg. No. 29,924; Susan Haberman Griffen, Reg. No. 30,907; Richard B.

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15. ☒ The power appears in the original declaration of the prior application.
16. ☐ Since the power does not appear in the original declaration, a copy of the power in the prior application is enclosed.
17. ☒ Please address all correspondence to FINNEGAN, HENDERSON, FARABOW, GARRETT and DUNNER, L.L.P., 1300 I Street, N.W., Washington, D.C. 20005-3315, **Customer Number 22,852.**
18. ☐ Recognize as associate attorney _____
19. ☒ Also enclosed is Request for Formal Drawing Change and a copy of a Supplemental Declaration filed in Ser. No. 08/817,441

PETITION FOR EXTENSION. If any extension of time is necessary for the filing of this application, including any extension in the parent application, serial no. 08/817,441, filed July 11, 1997, for the purpose of maintaining copendency between the parent application and this application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge

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necessary fees for such an extension to our Deposit Account No. 06-0916. A duplicate copy of this paper is enclosed for use in charging the deposit account.

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: December 27, 2001

By: 

Salvatore J. Arigo

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